

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3571 OF 2004

Skurajbhan Dhansingh Sodha & anr. ... Applicants
versus

State of Maharashtra ... Respondent

...

Mr. Prakash Shetty, for the Applicants.

Mr. S.R. Shinde, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR, J.

4th October 2004

P.C.:

. The principal argument canvassed before me is that on wading through the record of the case, at best, it would appear that the Applicants had given blow, but that blow cannot be said to be fatal blow, whereas the fatal blow has been ascribed to other accused. I am not impressed by this submission. Post mortem report does indicate that there are 7 wounds caused to the deceased. Merely because injury caused by the Applicants is not a fatal injury, that alone

cannot be the basis to enlarge the Applicants on bail, because the Applicants are charged with offence punishable under sectionj 302 read with section 147, 148, 149, Indian Penal Code. Hence, no case for grant of bail.

. It is brought to my notice that complaints have been received from the complainant regarding the threat administered to him during the pendency of the case. Even that can be a ground for refusal of bail. Mr. Shetty, however, contends that the said document have not been made available to the Applicants. Be that as it may, this is not a case for grant of bail. Hence rejected.

. It is directed that the trial be expedited and disposed of preferably within 9 months from the date of receipt of writ of this Court. The Applicants shall extend full co-operation for early disposal of the case and if the trial Court is of the opinion that the Applicants are responsible for causing obstacles in progress of the trial, that fact be recorded in the Roznama.

(A.M.KHANWILKAR, J.)